

**REPORT OF THE AUDIT OF THE
GREEN COUNTY
SHERIFF'S SETTLEMENT - 2008 TAXES**

**For The Period
May 01, 2008 Through April 30, 2009**



**CRIT LUALLEN
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EXECUTIVE SUMMARY
AUDIT EXAMINATION OF THE
GREEN COUNTY
SHERIFF'S SETTLEMENT - 2008 TAXES

For The Period
May 01, 2008 Through April 30, 2009

The Auditor of Public Accounts has completed the audit of the Sheriff's Settlement - 2008 Taxes for the Green County Sheriff for the period May 01, 2008 through April 30, 2009. We have issued an unqualified opinion on the financial statement taken as a whole. Based upon the audit work performed, the financial statement is presented fairly in all material respects.

Financial Condition:

The Sheriff collected taxes of \$2,923,772 for the districts for 2008 taxes, retaining commissions of \$120,397 to operate the Sheriff's office. The Sheriff distributed taxes of \$2,802,007 to the districts for 2008 taxes. Refunds of \$1,060 are due to the Sheriff from the taxing districts.

Report Comments:

- The Sheriff Should Deposit Funds Intact On A Daily Basis
- The Sheriff's Office Lacks Adequate Segregation Of Duties Over Receipts And Disbursements

Deposits:

The Sheriff's deposits as of December 5, 2008 were exposed to custodial credit risk as follows:

- Uncollateralized and Uninsured \$662,980

The Sheriff's deposits were covered by FDIC insurance and a properly executed collateral security agreement, but the bank did not adequately collateralize the Sheriff's deposits in accordance with the security agreement.

CONTENTS

PAGE

INDEPENDENT AUDITOR'S REPORT	1
SHERIFF'S SETTLEMENT - 2008 TAXES.....	3
NOTES TO FINANCIAL STATEMENT	5
REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF THE FINANCIAL STATEMENT PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS	9
COMMENTS AND RECOMMENDATIONS	13



CRIT LUALLEN
AUDITOR OF PUBLIC ACCOUNTS

To the People of Kentucky

Honorable Steven L. Beshear, Governor

Jonathan Miller, Secretary

Finance and Administration Cabinet

Honorable Mary Ann Blaydes Baron, Green County Judge/Executive

Honorable Tim Stumph, Green County Sheriff

Members of the Green County Fiscal Court

Independent Auditor's Report

We have audited the Green County Sheriff's Settlement - 2008 Taxes for the period May 01, 2008 through April 30, 2009. This tax settlement is the responsibility of the Green County Sheriff. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for Sheriff's Tax Settlements issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, the Sheriff's office prepares the financial statement in accordance with the modified cash basis, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In our opinion, the accompanying financial statement referred to above presents fairly, in all material respects, the Green County Sheriff's taxes charged, credited, and paid for the period May 01, 2008 through April 30, 2009, in conformity with the modified cash basis of accounting.

In accordance with Government Auditing Standards, we have also issued our report dated January 22, 2010 on our consideration of the Sheriff's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be considered in assessing the results of our audit.



To the People of Kentucky
Honorable Steven L. Beshear, Governor
Jonathan Miller, Secretary
Finance and Administration Cabinet
Honorable Mary Ann Blaydes Baron, Green County Judge/Executive
Honorable Tim Stumph, Green County Sheriff
Members of the Green County Fiscal Court

Based on the results of our audit, we present the accompanying comments and recommendations, included herein, which discusses the following report comments:

- The Sheriff Should Deposit Funds Intact On A Daily Basis
- The Sheriff's Office Lacks Adequate Segregation Of Duties Over Receipts And Disbursements

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Crit Luallen", with a stylized, flowing script.

Crit Luallen
Auditor of Public Accounts

January 22, 2010

GREEN COUNTY
TIM STUMPH, SHERIFF
SHERIFF'S SETTLEMENT - 2008 TAXES

For The Period May 01, 2008 Through April 30, 2009

<u>Charges</u>	<u>County Taxes</u>	<u>Special Taxing Districts</u>	<u>School Taxes</u>	<u>State Taxes</u>
Real Estate	\$ 305,050	\$ 624,626	\$ 1,275,400	\$ 354,439
Tangible Personal Property	11,309	32,418	47,820	34,222
Fire Protection	1,213			
Increases Through Exonerations	1	2	5	1
Omitted Taxes	570	1,103	2,032	655
Franchise Taxes	40,747	107,741	171,017	
Additional Billings	272	557	1,137	316
Oil and Gas Property Taxes	4,229	8,660	17,682	4,914
Limestone, Sand and Mineral Reserves	165	339	691	192
Penalties	3,017	6,182	12,582	3,506
Adjusted to Sheriff's Receipt	(28)	(55)	(677)	(40)
Gross Chargeable to Sheriff	<u>366,545</u>	<u>781,573</u>	<u>1,527,689</u>	<u>398,205</u>
<u>Credits</u>				
Exonerations	3,275	6,705	13,690	3,805
Discounts	4,279	8,875	17,812	5,288
Delinquents:				
Real Estate	10,320	21,100	43,005	11,983
Tangible Personal Property	8	24	35	36
Total Credits	<u>17,882</u>	<u>36,704</u>	<u>74,542</u>	<u>21,112</u>
Taxes Collected	348,663	744,869	1,453,147	377,093
Less: Commissions *	<u>15,106</u>	<u>30,851</u>	<u>58,126</u>	<u>16,314</u>
Taxes Due	333,557	714,018	1,395,021	360,779
Taxes Paid	333,349	713,654	1,394,299	360,705
Refunds (Current and Prior Year)	<u>309</u>	<u>596</u>	<u>1,163</u>	<u>360</u>
(Refunds Due Sheriff)		**		
as of Completion of Audit	<u>\$ (101)</u>	<u>\$ (232)</u>	<u>\$ (441)</u>	<u>\$ (286)</u>

* And ** See Next Page.

The accompanying notes are an integral part of this financial statement.

GREEN COUNTY
TIM STUMPH, SHERIFF
SHERIFF'S SETTLEMENT - 2009 TAXES
For The Period May 01, 2008 Through April 30, 2009
(Continued)

* Commissions:

10% on	\$	10,000
4.25% on	\$	1,138,425
4% on	\$	1,775,347

** Special Taxing Districts:

Library District	\$	(44)
Health District		(39)
Extension District		(44)
Ambulance		<u>(105)</u>

(Refunds Due Sheriff)	\$	<u><u>(232)</u></u>
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GREEN COUNTY
NOTES TO FINANCIAL STATEMENT

April 30, 2009

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

The Sheriff's office tax collection duties are limited to acting as an agent for assessed property owners and taxing districts. A fund is used to account for the collection and distribution of taxes. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

B. Basis of Accounting

The financial statement has been prepared on a modified cash basis of accounting. Basis of accounting refers to when charges, credits, and taxes paid are reported in the settlement statement. It relates to the timing of measurements regardless of the measurement focus.

Charges are sources of revenue which are recognized in the tax period in which they become available and measurable. Credits are reductions of revenue which are recognized when there is proper authorization. Taxes paid are uses of revenue which are recognized when distributions are made to the taxing districts and others.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the Sheriff's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

Note 2. Deposits

The Green County Sheriff maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC) as required by KRS 66.480(1)(d). According to KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the Sheriff and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution.

GREEN COUNTY
NOTES TO FINANCIAL STATEMENT
April 30, 2009
(Continued)

Note 2. Deposits (Continued)

Custodial Credit Risk - Deposits

Custodial credit risk is the risk that in the event of a depository institution failure, the Sheriff's deposits may not be returned. The Sheriff does not have a deposit policy for custodial credit risk but rather follows the requirements of KRS 41.240(4). As of April 30, 2009, all deposits were covered by FDIC insurance or a properly executed collateral security agreement. However, as of December 5, 2008, public funds were exposed to custodial credit risk because the bank did not adequately collateralize the Sheriff's deposits in accordance with the security agreement.

- Uncollateralized and Uninsured \$662,980

Note 3. Tax Collection Period

The real and personal property tax assessments were levied as of January 1, 2008. Property taxes were billed to finance governmental services for the year ended June 30, 2009. Liens are effective when the tax bills become delinquent. The collection period for these assessments was October 31, 2008 through April 30, 2009.

Note 4. Interest Income

The Green County Sheriff earned \$847 as interest income on 2008 taxes. The Sheriff distributed the appropriate amount to the school district as required by statute, and the remainder was used to operate the Sheriff's office.

Note 5. Sheriff's 10% Add-On Fee

The Green County Sheriff collected \$20,469 of 10% add-on fees allowed by KRS 134.430(3). This amount was used to operate the Sheriff's office.

Note 6. Advertising Costs And Fees

The Green County Sheriff collected \$610 of advertising costs and \$1480 of advertising fees allowed by KRS 424.330(1) and KRS 134.440(2). The Sheriff distributed the advertising costs to the county as required by statute, and the advertising fees were used to operate the Sheriff's office.

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON
COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF THE FINANCIAL
STATEMENT PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS



CRIT LUALLEN
AUDITOR OF PUBLIC ACCOUNTS

The Honorable Mary Ann Blaydes, Green County Judge/Executive
Honorable Tim Stumph, Green County Sheriff
Members of the Green County Fiscal Court

**Report On Internal Control Over Financial Reporting And On
Compliance And Other Matters Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards**

We have audited the Green County Sheriff's Settlement - 2008 Taxes for the period May 01, 2008 through April 30, 2009, and have issued our report thereon dated January 22, 2010. The Sheriff prepares his financial statement in accordance with a basis of accounting other than generally accepted accounting principles. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Green County Sheriff's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Green County Sheriff's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Green County Sheriff's internal control over financial reporting.

Our consideration of internal control over financial reporting was for the limited purpose described in the preceding paragraph and would not necessarily identify all deficiencies in internal control over financial reporting that might be significant deficiencies or material weaknesses. However as discussed below, we identified certain deficiencies in internal control over financial reporting that we consider to be significant deficiencies.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the entity's ability to initiate, authorize, record, process, or report financial data reliably in accordance with the modified cash basis of accounting which is a basis of accounting other than generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the entity's financial statement that is more than inconsequential will not be prevented or detected by the entity's internal control over financial reporting. We consider the deficiencies described in the accompanying comments and recommendations to be significant deficiencies in internal control over financial reporting.

- The Sheriff's Office Lacks Adequate Segregation Of Duties Over Receipts And Disbursements
- The Sheriff Should Deposit Funds Intact On A Daily Basis



Report On Internal Control Over Financial Reporting And On
Compliance And Other Matters Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards
(Continued)

Internal Control Over Financial Reporting (Continued)

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statement will not be prevented or detected by the entity's internal control. Our consideration of the internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in the internal control that might be significant deficiencies and, accordingly, would not necessarily disclose all significant deficiencies that are also considered to be material weaknesses. However, we consider the significant deficiencies described above to be material weaknesses.

Compliance And Other Matters

As part of obtaining reasonable assurance about whether the Green County Sheriff's Settlement - 2008 Taxes for the period May 01, 2008 through April 30, 2009, is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed an instance of noncompliance or other matters that is required to be reported under Government Auditing Standards and which is described in the accompanying comments and recommendations.

- The Sheriff Should Deposit Funds Intact On A Daily Basis

This report is intended solely for the information and use of management, the Green County Fiscal Court, and the Department for Local Government and is not intended to be and should not be used by anyone other than these specified parties.

Respectfully submitted,



Crit Luallen
Auditor of Public Accounts

January 22, 2010

COMMENTS AND RECOMMENDATIONS

GREEN COUNTY
TIM STUMPH, SHERIFF
COMMENTS AND RECOMMENDATIONS

For The Period May 01, 2008 Through April 30, 2009

FINANCIAL STATEMENT FINDINGS:

The Sheriff Should Deposit Funds Intact On A Daily Basis

During our review of receipts, it was noted that the Sheriff is not preparing and printing daily tax collection reports and making daily deposits timely. Those reports can include several days of tax collections. The Sheriff is making his deposits and posting to receipts ledger based upon the day the tax collection report is printed. This is non-compliance with KRS 68.210 and 109 KAR 15:020. KRS 68.210 states the State Local Finance Officer "shall prescribe and shall install, by July 1, 1985, a system of uniform accounts for all counties and county officials." The Instructional Guide for County Budget Preparation and State Local Finance Officer Policy Manual, 109 KAR 15:020 under Handling Public Funds, states a minimum requirement of "Daily deposits intact into a federally insured banking institution." We recommend the Sheriff prepare and print daily tax collection reports and deposit receipts intact daily.

Sheriff's Response: None.

The Sheriff's Office Lacks Adequate Segregation Of Duties Over Receipts And Disbursements

During our review of internal controls, we noted the Sheriff's office has a lack of segregation of duties over receipts and disbursements. The Sheriff collects payments from customers and prepares the daily tax collection journals, the monthly tax reports, and the deposits. The Sheriff also takes the deposits to the bank, prepares checks for payment to districts, and signs the checks. No oversight is performed over any of these functions.

Segregation of duties over collecting taxes, preparing daily deposits, preparing monthly reports, and preparing disbursements is essential for providing protection from asset misappropriation and/or inaccurate financial reporting. Additionally, proper segregation of duties protects employees in the normal course of performing their daily responsibilities.

The Sheriff should have separated the duties of collecting taxes, preparing daily deposits, preparing and mailing disbursements, and preparing financial reports. If these duties could not be segregated due to limited staff or limited budget, then strong oversight should be provided to the employee responsible for these duties. This oversight would not be effective over these duties performed by the Sheriff. The Sheriff needs to delegate these duties to other employees and document his oversight.

Sheriff's Response: None.

